

**THE TINGLE LAW FIRM, P.A.**  
**535 Stahlman Avenue**  
**Destin, FL 32541**  
**Phone: 850-543-7123**  
**Fax: 850-423-1231**

---

October 11, 2023

Hon. Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
1 First Street North East  
Washington, DC 20543

Re: Donivon Craig Tingle vs. Florida Department of Health, Case Number 23-246

Dear Mr. Harris:

Petitioner files this objection to any extension of time based upon the stated grounds and offers the following in support. The Florida Department of Health (DOH) had an obligation to hire an attorney competent in all respects to represent its interests. The fact that the DOH has hired an unqualified attorney to represent its interests warrants further discussion. The Florida Attorney General, Ashley Moody, who would typically handle such matters, has waived its right to file an objection due to the white supremacist position that Governor Ron DeSantis has taken on this matter. Every competent attorney licensed to practice before this Court that the DOH has on retainer has refused to argue the matter given the clear constitutional violations involved. The DOH at the last minute has reached out to this unqualified attorney. This is not an example of excusable neglect. Clearly, there are many, qualified and competent attorneys that Florida could have hired and they have either not done so willingly or they have been successively rejected by qualified attorneys unwilling to tarnish their reputation defending this despicable position.

Given the purely Constitutional matters that comprise this case, the DOH has been on notice since 2018 that this matter would likely wind up before this Court. Moreover, the Application to this Court was first filed on August 9, 2023, two months ago. The DOH has been on notice for far, far longer than September 12, 2023. They have waited until seven days before the Writ of Certiorari is due to make this request for an extension of time. Well settled rules require that a request for an extension of time be at least ten days before the deadline unless there are extraordinary circumstances; Rules of the Supreme Court of the United States, Rule 30, Computation and Extension of Time.

There is nothing extraordinary about the DOH's predicament. In fact, it is a mess purely of its own making. The DOH relied once again on its own prejudice that the counsel for the Petitioner could not possibly be the kind of person to possess membership to the bar of the United States Supreme Court, and that he lacked the wherewithal to bring such a matter if he did. The

Hon. Scott S. Harris

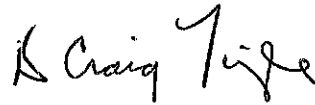
Page 2.

DOH failed to fully understand the relevant case law that would allow this case to be brought before the United States Supreme Court from the Florida First District Court of Appeal despite the fact that this information was readily available. The DOH should not be shielded from the consequences of its lack of preparation, prejudice, knowledge of the law, and indolent conduct. Regarding counsel for the DOH, there is a saying that it is best to "hitch up the horses before you load the wagon." Meaning, before you take on work that you have no business doing, you need to be qualified in all respects to do this work.

It is time to move this case forward without further delay.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Craig Tingle". The signature is written in a cursive, flowing style.

D. Craig Tingle, Esquire

Cc: Eduardo S. Lombard, Counsel for the FL DOH (By E-Mail)